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C O N F I D E N T I A L KINGSTON 000753

SENSITIVE  
SIPDIS  
STATE FOR WHA/CAR (J.MACK-WILSON, V.DEPIRRO, W.SMITH)  
L/LEI (C.HOLLAND, A.KLUESNER)  
INR/IAA (G.BOHIGIAN)  
JUSTICE FOR OIA (P.PETTY)  
TREASURY FOR ERIN NEPHEW  
INR/RES (R.WARNER)  
AMEMBASSY BRIDGETOWN PASS TO AMEMBASSY GRENADA

E.O. 12958: DECL: 2019/12/10  
TAGS: [PREL](#) [PGOV](#) [CVIS](#) [SNAR](#) [PINR](#) [ASEC](#) [CJAN](#) [KCOR](#) [KCRM](#) [JM](#) [XL](#)  
SUBJECT: JAMAICA: OPPOSITION GRILLS PRIME MINISTER IN PARLIAMENT ON  
COKE EXTRADITION DELAYS

REF: A. KINGSTON 749; B. STATE 125895; C. KINGSTON 680  
[D](#). KINGSTON 699; E. KINGSTON 1050

CLASSIFIED BY: Isiah Parnell, CDA; REASON: 1.4(B), (D)

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[1](#)1. (SBU) The continuing controversy over the Christopher "Dudus" Coke extradition request exploded into partisan rancor and bitterness in Jamaica's Parliament on December 8, as Peter Phillips, Member of Parliament (MP) for the opposition People's National Party (PNP) and former Minister for National Security, accused Prime Minister (PM) Bruce Golding and his Jamaica Labour Party (JLP)-led Government of Jamaica (GOJ) of "taking longer than the average period of time" to comply with the request. The PM, however, adopted what would seem to be a new tack in the continuing drama in alleging that in fact it was the U.S. that has been responsible for the delay by failing to comply with Jamaica's Mutual Assistance Criminal Matters Act, although he refused to provide any details. Pandemonium reportedly ensued, as backbenchers of both parties heckled speakers and House Speaker Delroy Chuck struggled to illustrate both the GOJ's paralysis over the issue as the Golding administration flails for new legal points on which to delay a decision, as well as the PNP's determination to use the issue as a means of attacking the JLP's moral authority to govern. End Summary.

Golding Moves The Goal Posts

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[1](#)2. (SBU) Peter Phillips, PNP MP and former Minister of National Security told Emboff that he had tabled a series of fairly innocuous written questions to Parliament as a means of engaging the PM as to the status of the Coke extradition request. Amidst shouting from MPs of both parties, Golding insisted that the three-and-a-half month delay that has elapsed since the U.S. State Department submitted the request was "not unusual" and was in fact necessary in order to ensure that due process was followed. Furthermore, the PM attributed the delay to the USG's failure to "follow proper procedure" in issuing the request. In defending his administration's handling of the Coke extradition request, Golding accused both the PNP and the media of "taking positions in ignorance" and not having "access to the facts [and] procedures that must be followed," while "the Minister of Justice enjoys no such privilege [and] must uphold the laws of the country."

[1](#)3. (SBU) The PM implied that the evidence presented in the extradition request may have been collected in violation of Jamaican law, although when asked to do so by PNP backbencher Ronnie Thwaites he would not cite the specific law in question. "Most requests that have been received depend for their process on the provisions of the Extradition Treaty with the particular country and on the Extradition Act," Golding noted, but added that "[t]his particular request is somewhat different in that it also relies for its validity on the provisions of the Mutual Assistance Criminal Matters Act. The Government of Jamaica has raised with the U.S. authorities issues regarding its compliance with that Act." Therefore, Golding maintained, "it is not a matter as to whether (Minister of Justice Dorothy Lightbourne) is inclined to authorize the extradition, it's a question that the minister would be authorizing something that she knows would be in violation of the law."

[1](#)4. (SBU)(NOTE: In recent demarches on the Coke extradition, the GOJ has raised concerns that evidence acquired through wiretaps in Jamaica were apparently not processed through the Mutual Legal Assistance Treaty (MLAT) and has requested direct consultations on

this point between representatives of Jamaica's Ministry of Justice (MOJ) and the USG's Departments of State and Justice (RefTel A). The DOJ's position, however, maintains that the MLAT did not represent "an exclusive means for sharing of law enforcement information" (RefTel B). The Departments of State and Justice have agreed to meet with the MOJ representatives in Washington on December 17. (RefTel B). End Note).

Pandemonium in Parliament

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[1](#)5. (SBU) Obviously dissatisfied with the PM's response, Phillips contended that Golding's explanation "did not stand to reason" and pressed for more details. Golding refused, insisting that the GOJ and the USG had agreed not to discuss the matter publicly. (NOTE: Golding maintained that he had indicated to the USG that he would brief Parliament on the status of the case without providing

specific details. Soon after the extradition request had been submitted, an envoy from the PM's office had requested that the USG refrain from publicly pressuring the GOJ over the politically-sensitive issue (Reftel C). Although Post has generally refused to comment on the

¶6. (SBU) As the debate continued and became more and more heated, House Speaker and JLP MP Delroy Chuck attempted unsuccessfully to bring order further?" Amid shouts of "sit down" from JLP backbenchers, Thwaites replied "Because we need to know. We are the ultimate arbiters of the law."

¶7. (SBU) When Phillips referred to a recent newspaper article alleging that members of the Cabinet had met with Coke and asked whether such a meeting would be appropriate, Chuck objected to the question on the grounds that "you have no evidence that that member met with the person," while the PM referred to the House's Standing Orders in refusing to respond. "The member knows he cannot ask a hypothetical question like that," Golding stated. "He may very well be seeking to grandstand, but he knows it's against the Standing Orders." Golding, however, did make a veiled reference to the PNP's own ties to criminal organizations, citing Phillips' attendance at the funeral of garrison community don in 2001.

#### Golding Denies Advance Knowledge of Extradition Request

¶8. (SBU) Phillips also asked the PM whether USG authorities had briefed him on the Coke case on assuming office in 2007. Despite Chuck's attempt to prohibit the question as "prejudicial" to Coke, the PM nevertheless responded that he had first received information about the extradition request the day before the USG submitted it to the GOJ on August 25. (NOTE: Post disputes the PM's recollection, noting that former Ambassador Johnson briefed the PM on the case in January 2009. Phillips himself reported to Emboff that as the outgoing Minister of National Security he briefed the PM on the case shortly after the September 2007 elections that

brought the JLP to power (Reftel D) End Note).

¶9. (C) In comments to Emboff, Phillips noted that he had planned the altercation with the Prime Minister by tabling the questions and felt that the PM had been "twisting and turning" in trying to justify the GOJ's inaction on the extradition request. Phillips alleged that the GOJ is "determined to take the side of the Shower Posse (the criminal organization with which Coke is associated) rather than that of the people of Jamaica," and that he's not aware of any "timetable for action" on the part of Golding administration. As he'd implied in Parliament, Phillips maintained that two Cabinet membe

#### PM Fails To Recognize Severity of Situation

¶10. (C) Phillips maintained to Emboff his belief that the PM remains unconvinced of the seriousness the USG attaches to the Coke case, and that the PM will not give way on the extradition request without in importance over time. According to Phillips's sources, the Golding administration has been quietly reaching out to friends in the U.S. Congress and the administration through backchannels to try to circumvent the Departments of State and Justice and to make their case to the White House. Phillips also told Emboff that many key JLP stalwarts - Minister of Finance Audley Shaw, Minister of Education Andrew Holness, Minister of Housing Horace Chang, and Minister of Foreign Affairs Kenneth Baugh among them - have expressed to him their dissatisfaction with the Golding administration's handling of the Coke extradition request, but that they're unlikely to break with Golding over the issue, nor would he expect any JLP MPs to cross the aisle over the issue.

#### Concern Over Lack of U.S. Ambassador, IMF Agreement

¶11. (SBU) The PM also addressed the USG's delay in naming an ambassador to replace Brenda LaGrange Johnson, who departed Post in January 2009. Speculation has been rampant in recent weeks that the White E anticipated, as well as the delay in announcing another nominee was due to the GOJ's intransigence on the Coke extradition request. Similarly, many see the slow progress of the GOJ's talks with the International Monetary Fund (IMF) for a standby agreement as evidence that the U.S. is stymieing the resolution of the negotiations (Reftel E). Golding insisted that the delay in naming a new ambassador was due to "preoccupation with other matters" on the part of the White House and the Senate Foreign Relations Committee, and pointed out that the "processing and approval of the President's nominees for several postings," such as Trinidad and Tobago, had taken a great deal of time as well. "We await the appointment of a U.S. Ambassador, in the same way that many other countries are," the PM noted. (NOTE: Post is unaware of any linkage between the Coke extradition request, the IMF negotiations, and the naming of a new ambassador. Nevertheless, conspiracy theories are ubiquitous in Jamaica, and the belief that these issues are related

is widely held. End Note).

#### Foreign Minister Apologizes

¶12. (C) On the evening of December 9, Foreign Minister Kenneth Baugh telephoned CDA to apologize for the PM's remarks in Parliament and to express regret that Golding had been put in such a position by Phillips. Despite the PM's statements and the headlines to the contrary, the Foreign Minister assured CDA that Golding had been misquoted and that it was not the position of the GOJ that the USG had violated the MLAT or the extradition treaty. Interestingly, although the Office of the Prime Minister issued a press release on the morning after the debate highlighting the PM's comments on the delay in naming a new U.S. ambassador, there was no press release correcting or reinterpreting the PM's comments suggesting the USG was responsible for the extradition delay.

## Summary and Analysis

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¶13. (SBU) The GOJ's raising of the MLAT issue privately in the December 3 demarche (Reftel A) and now publicly on the floor of Parliament suggests that the Golding administration is sensitive to increasing concerns raised in the media and by the opposition that the GOJ is stalling, grasping for any legal rationale it can find to forestall the extradition of the politically-connected and powerful Coke, who controls the garrison community of Tivoli Gardens in Golding's own West Kingston constituency. The GOJ appears to be trying to have it both ways - publicly blaming the USG for the delays, while privately assuring CDA that this is not the position of the Golding administration. However, in publicly accusing the U.S. of violating Jamaican law while blaming his refusal to provide specifics on a nonexistent agreement with the USG, Golding can have the best of both worlds - casting off responsibility for the delay while remaining confident that the USG will not contradict his version of events.

End Summary and Analysis.  
Parnell